

IN THE CIRCUIT COURT FOR HOWARD COUNTY, MARYLAND

JUDITH DAMASK
6919 Carroll Highlands Road
Eldersburg, Maryland 21784

Plaintiff,

vs.

Case No.:

OUTBACK STEAKHOUSE OF FLORIDA, LLC
5th Floor
2202 N West Shore Boulevard
Tampa, Florida 33607

SERVE: CORPORATE CREATIONS
NETWORK, INC.
2 Wisconsin Circle #700
Chevy Chase, Maryland 20815

and

OUTBACK STEAKHOUSE OF HOWARD
COUNTY, INC.
10715 Charter Drive
Columbia, MD 21044

SERVE: CORPORATE CREATIONS
NETWORK, INC.
2 Wisconsin Circle #700
Chevy Chase, Maryland 20815

and

OS RESTAURANT SERVICES, LLC.
5th Floor
2202 N West Shore Boulevard
Tampa, Florida 33607

SERVE: CORPORATE CREATIONS
NETWORK, INC.
2 Wisconsin Circle #700
Chevy Chase, Maryland 20815



BLOOMIN' BRANDS, INC.
2202 N. West Shore Boulevard
Suite 500
Tampa, Florida 33607

SERVE: ELIZABETH SMITH, CEO
2202 N. West Shore Boulevard
Suite 500
Tampa, Florida 33607

Defendants.

* * * * *

COMPLAINT AND DEMAND FOR JURY TRIAL

Judith Damask, by and through her attorney, Blaine M. Kolker, Esquire, hereby sues Outback Steakhouse of Florida, LLC, Outback Steakhouse of Howard County, Inc., OS Services, LLC and Bloomin' Brands, Inc., Defendants ("Defendants"), and for reasons says:

1. On or about January 16, 2016, the Plaintiff, Judith Damask, was a customer of the Outback Steakhouse restaurant located at 4420 Long Gate Parkway, Ellicott City, Howard County, Maryland, the "Premises", owned and operated by Defendants Outback Steakhouse of Florida, LLC, Outback Steakhouse of Howard County, Inc., OS Services, LLC and/or Bloomin' Brands, Inc.

2. That at all times relevant hereto the Outback Steakhouse was owned and operated by Defendants Outback Steakhouse of Florida, LLC, Outback Steakhouse of Howard County, Inc., OS Services, LLC and/or Bloomin' Brands, Inc.

3. That at all times relevant hereto, the Defendants, and agents, servants and/or employees of the Defendants were responsible for the maintenance and supervision of the Premises.

4. That the Plaintiff, Judith Damask, at all times mentioned herein was lawfully on the Premises.

5. At or about the same time and place mentioned herein, Plaintiff, Judith Damask was walking towards the restroom in the restaurant when she slipped and fell due to a negligently maintained floor on the Premises.

6. Thereafter and as a direct and proximate result of slipping on the negligently maintained floor, the Plaintiff, Judith Damask, fell and incurred injuries.

COUNT I
Negligence

7. The allegations of fact set forth above are adopted herein and made a part hereof. The Plaintiff, Judith Damask, further says:

8. Defendants Outback Steakhouse of Florida, LLC, Outback Steakhouse of Howard County, Inc., OS Services, LLC and/or Bloomin' Brands, Inc. as owners and operators of the Outback Steakhouse in question, individually and through their agents, servants and/or employees owed a duty to the Plaintiff to maintain the Premises in a safe condition, with due regard for persons lawfully traversing the Premises as business invitees of the Defendants.

9. That despite Defendants' duty to maintain the Premises in a safe and unhazardous condition, there was present at the aforementioned time and place, a dangerous condition which Defendants individually and through their agents, servants

and/or employees knew, or should have known, would cause injuries to the public and in particular patrons of the restaurant traversing the area.

10. Defendants individually and through their agents, servants and/or employees breached their duty of care to the Plaintiff and were negligent in failing to properly maintain the Premises, failing to maintain and supervise the maintenance of the floor, failing to inspect and supervise the timely inspection of the floor, allowing customers to transverse over slippery and hazardous flooring, failing to properly warn customers of a dangerous condition, failing to barricade or otherwise protect the area, failing to attend to the dangerous condition and were otherwise negligent.

11. As the direct and proximate result of the negligence of Defendants as owners and occupiers of the Premises, the Plaintiff Judith Damask was caused to slip and fall on the floor on the Premises.

12. As the direct and proximate result thereof, the Plaintiff, Judith Damask, suffered, is suffering, and will continue to suffer severe pain and permanent injuries to her body as well as severe and protracted shock to her nervous system, all of which have caused, is causing, and will continue to cause her great pain and mental anguish.

13. As a further direct and proximate result of the negligence of the Defendants, as owners and occupiers of the Premises, the Plaintiff, Judith Damask, has been forced to expend and will continue to expend, large sums of money for the medical care and treatment of the aforesaid injury/illness. Additionally, the Plaintiff has been forced to incur expenses and to lose time from her usual activities, duties, employment and pursuits and will continue to incur said expenses in the future.

14. The Plaintiff, Judith Damask, further says that all of her injuries, damages, and other losses were caused by reason of the negligence of the Defendants Outback Steakhouse of Florida, LLC, Outback Steakhouse of Howard County, Inc., OS Services, LLC and/or Bloomin' Brands, Inc. as owners and occupiers of the Premises, without any negligence on the part of the Plaintiff contributing thereto.

WHEREFORE, the Plaintiff, Judith Damask, demands judgment against the Defendants, Outback Steakhouse of Florida, LLC, Outback Steakhouse of Howard County, Inc., OS Services, LLC and Bloomin' Brands, Inc., and each of them, jointly and severally, in an amount in **excess of** Seventy Five Thousand Dollars (\$75,000.00) for damages, together with the costs of this action and for such other and further relief as deemed just and proper.

Respectfully submitted,



Blaine M. Kolker (CPF# 9412140122)
1120 Saint Paul Street
Suite Two North
Baltimore, Maryland 21202
(410) 625-8800
Attorney for Plaintiff

DEMAND FOR JURY TRIAL

The Plaintiff, Judith Damask, demands a trial by jury as to all issues raised herein.



Blaine M. Kolker
(CPF# 9412140122)

CERTIFICATE REGARDING RESTRICTED INFORMATION

The foregoing filing does not contain any information restricted by the rules
of this Court.



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